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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
SUN-P7076-SPL

First named inventor: G. William Walster

Application No.: 09/991,476

Filed: November 16, 2002

Group Art Unit: 2121

Examiner: Hirl, Joseph P.

Title: APPLYING TERM CONSISTENCY TO THE SOLUTION OF UNCONSTRAINED INTERVAL  
GLOBAL OPTIMIZATION PROBLEMSAttention: Office of Petitions  
Assistant Commissioner for Patents  
M/S: DAC  
PO Box 1450  
Alexandria, VA 22313-1450**RECEIVED**

SEP 02 2004

OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact  
Petitions Information at (703) 305-9282The above-identified application became abandoned for failure to file a timely and proper reply to a notice or  
action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the  
period set for reply in the Office notice or action plus any extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications  
filed before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

- ☐ Small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))
- ☐ Small entity statement enclosed herewith.
- ☐ Small entity statement previously filed.
- ☒ Other than small entity - fee \$ 1,330.00 (37 CFR 1.17(m))

**2. Reply and/or fee**

- A. The reply and/or fee to the above-noted Office action in  
the form of An Amendment (identify type of reply):
- ☐ has been filed previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

**B. The issue fee of \$ \_\_\_\_\_**

- ☐ has been paid previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any  
comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office,  
Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents,  
Washington, DC 20231

08/31/2004 HALI11 00000021 09991476

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### 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

### 4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

August 27, 2004

Date

  
Signature

Telephone

Number: (530) 759-1663

Name:

Edward J. Grundler (Reg. No. 47,615)

Address:

Park, Vaughan & Fleming LLP  
508 Second St., Ste. 201  
Davis, California 95616-4692

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Small Entity Status Form

☐ \_\_\_\_\_

### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

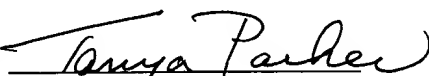
- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6916.

Date:

8/27/04

Signature:

Name:

  
Tanya Parker